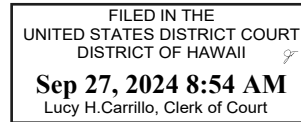


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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

In Re:	)	MISC. NO. 23-00056 LEK-WRP
	)	
\$13,000.00 IN U.S. CURRENCY,	)	UNITED STATES <i>EX PARTE</i>
SEIZED ON OR ABOUT AUGUST 9,	)	MOTION FOR TENTH
2022, FROM A BACKPACK	)	EXTENSION OF TIME TO
POSSESSED BY CHAUNCEY	)	FILE COMPLAINT FOR
TADASCHI HATA.	)	FORFEITURE
	)	
	)	
	)	
	)	
	)	

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UNITED STATES' *EX PARTE* MOTION FOR TENTH EXTENSION OF  
TIME TO FILE COMPLAINT FOR FORFEITURE

Pursuant to 18 U.S.C. § 983(a)(3)(A), the United States of America moves the Court for good cause for an additional 90-day extension of the time within which the United States is required to file a civil forfeiture complaint and/or obtain an indictment or information noticing forfeiture regarding the above-captioned \$13,000.00 in U.S. currency seized from a backpack in the possession of Chauncey Hata (the “Subject Property”). The United States requests an extension of the deadline from October 1, 2024 up to and including December 30, 2024.

The United States represents to the Court as follows:

1. The Subject Property was seized by the Drug Enforcement Administration on or about August 9, 2022.
2. The DEA initiated forfeiture proceedings against the Subject Property, pursuant to 21 U.S.C. § 881 and the required forfeiture notices were sent to all known interested parties, including Fantasia Lee, in accordance with 18 U.S.C. § 983.
3. Fantasia Lee filed a timely claim to the Subject Property.
4. No other claims have been filed or received, and the time has expired for any person to file a claim to the Subject Property under 18 U.S.C. § 983(a)(2)(A)-(E).

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MEMORANDUM

Pursuant to 18 U.S.C. § 983(a)(3)(A):

(A) Not later than 90 days after a claim has been filed, the Government shall file a complaint for forfeiture in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims or return the property pending the filing of a complaint, except that a court in the district in which the complaint will be filed may extend the period for filing a complaint for good cause shown or upon agreement of the parties.

(emphasis added).

The United States currently is required to file a civil forfeiture complaint against the Subject Property on or before October 1, 2024. If it fails to do so and also has not included the Subject Property in the forfeiture notice of a criminal indictment or information, it is required to release the property (unless it is being held for some reason other than the forfeiture) and may not take any further action to effect the civil forfeiture of the property. *See* 18 U.S.C. § 983(a)(3)(B)-(C).

The United States asserts that there is good cause to extend the October 1, 2024 deadline by 90 days – until December 30, 2024. The United States has filed a criminal complaint against Chauncey Hata and intends to obtain an indictment or information against Hata, within the next 90 days, which will include a notice that the above-captioned property is subject to forfeiture within the next 90 days. *See United States v. Chauncey Hata*, MJ No. 22-1376 (D. Haw.), ECF No. 42 (continuing the preliminary hearing until December 23, 2024, per the parties’

stipulation). Thus, the United States requests an extension of the October 1, 2024 statutory deadline to file a civil forfeiture complaint against the property, in order to prevent the unnecessary expenditure of public resources and funds that would be required to file a civil complaint for forfeiture against the property followed by an indictment or information alleging that the same property is subject to forfeiture.

For the foregoing good cause, the United States respectfully requests that the Court extend the period in which the United States is required to file a complaint against the property and/or to obtain an indictment alleging that the property is subject to forfeiture to December 30, 2024.

The United States will electronically submit a proposed Order.

DATED: September 27, 2024, at Honolulu, Hawaii.

CLARE E. CONNORS  
United States Attorney  
District of Hawaii

By /s/ Edric M. Ching  
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Assistant U.S. Attorney

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